



Fw: participation on the quarterly community outreach call

Terry Brown to: Randy Brown03

Bcc: Terry Brown

09/20/2012 10:43 AM

History:

This message has been forwarded.

Hi Randy - Can you be a call today? We'll be talking with Scott Clow with the Ute Mountain Ute Tribe. He has issues with the White Mesa Uranium Mill in Blanding, Utah and with EPA decisions regard the CERCLA Off-site Rule. Here's the issue:

Addressing problems when EPA decisions create perceived environmental injustices.

What does the agency do when its own decisions may cause an environmental justice issue? For example, the preamble of the CERCLA offsite rule states that it is the goal of the law to not create a second hazardous site by moving waste from one site to another. But when local or state government fails to protect public health and environment through its regulatory authority on a site determined to be eligible by EPA under this rule to receive such hazardous materials, when does EPA stop sending waste there? Immediately, maybe sometime, or never? When does EPA intervene in the local or state regulation? At what point in this scenario does EPA accept that the wrong decision was made and try to correct it? What damages is EPA willing to incur while hoping or assuming that local or state regulators are really competent? Sooner or later it seems like logic would prevail and EPA would stop the polluting action and lack of regulation, but how long is the agency willing to perpetuate the status quo?

Scott Clow Ute Mountain Ute Tribe
sclow@utemountain.org

Thanks

-Terry

312-6419

----- Forwarded by Terry Brown/R8/USEPA/US on 09/20/2012 10:36 AM -----

From: Tai Lung/DC/USEPA/US
To: Suzanne Wells/DC/USEPA/US@EPA
Cc: RobinM Anderson/DC/USEPA/US@EPA, Terry Brown/R8/USEPA/US@EPA, Pat Carey/DC/USEPA/US@EPA, Sherri White/DC/USEPA/US@EPA
Date: 09/19/2012 01:59 PM
Subject: Re: Fw: participation on the quarterly community outreach call

Suzanne/all,

Here is the agenda for the meeting which includes the call in number. Currently the agenda has Pat Carey, the OSWER lead EJ coordinator, to speak on the topic (b)(5) Deliberative Process. Thanks for helping us find the correct contact!

Tai



Community Outreach Call Agenda.docx

Tai C. Lung | U.S. Environmental Protection Agency | OSWER | IPCO | Tel 202.566.1296 | Cell 202.255.6201 | Fax 202.566.0202 | lung.tai@epa.gov

Think Green ! Before printing this email assess whether a hard copy is truly necessary .

Suzanne Wells

Tai, Can you provide Terry Brown in region 8 an...

09/19/2012 02:30:34 PM

From: Suzanne Wells/DC/USEPA/US
To: Tai Lung/DC/USEPA/US@EPA
Cc: Terry Brown/R8/USEPA/US@EPA, RobinM Anderson/DC/USEPA/US@EPA
Date: 09/19/2012 02:30 PM
Subject: Fw: participation on the quarterly community outreach call

Tai,

Can you provide Terry Brown in region 8 and Robin Richardson in OSRTI with the call-in information for the EJ Quarterly Community Outreach call? Thanks.

Suzanne Wells

Chief

Superfund Community Involvement and Program Initiatives Branch

(703) 603-8863

(703) 603-9112 (fax)

----- Forwarded by Suzanne Wells/DC/USEPA/US on 09/19/2012 02:29 PM -----

From: Libby Faulk/R8/USEPA/US
To: Suzanne Wells/DC/USEPA/US@EPA
Cc: RobinM Anderson/DC/USEPA/US@EPA, Tai Lung/DC/USEPA/US@EPA, Terry Brown/R8/USEPA/US@EPA, Nancy Morlock/R8/USEPA/US@EPA, Randy Brown03/R8/USEPA/US@EPA
Date: 09/19/2012 02:19 PM
Subject: Fw: participation on the quarterly community outreach call

Hi Suzanne,

Per Terry's email below he would be able to assist with explaining the CERCLA Off-Site Rule for you call tomorrow if need be. Terry's phone number is 303-312-6419. I've also cc'd him on this email.

Thanks, Libby

Libby Faulk

Acting Community Involvement Program Manager

U.S. EPA Region 8 (8OC)

1595 Wynkoop St.

Denver, Colorado 80202

faulk.libby@epa.gov

303-312-6083

1-800-227-8917, ext. 3126083 (Region 8 States only)

----- Forwarded by Libby Faulk/R8/USEPA/US on 09/19/2012 12:17 PM -----

From: Terry Brown/R8/USEPA/US
To: Libby Faulk/R8/USEPA/US@EPA
Cc: Nancy Morlock/R8/USEPA/US@EPA

Date: 09/19/2012 09:46 AM
Subject: Re: Fw: Re: Fw: participation on the quarterly community outreach call

Hi Libby - I'm the Regional Off-Site Rule Coordinator for Region 8. I'll be more than glad to be on the call tomorrow to answer questions regarding the CERCLA Off-Site Rule. Can you please provide me with the details? What time is the call tomorrow? What the call-in number? Has a room been reserved? Thanks.

-Terry

Nancy Morlock

Terry I am out today and Libby Faulk from OCPI...

09/19/2012 09:02:47 AM

From: Nancy Morlock/R8/USEPA/US
To: Terry Brown/R8/USEPA/US@EPA
Cc: Christina Cosentini/R8/USEPA/US@EPA, Steve Burkett/R8/USEPA/US@EPA
Date: 09/19/2012 09:02 AM
Subject: Fw: Re: Fw: participation on the quarterly community outreach call

Terry

b(5) Deliberative Process

Thanks.

Nancy

* * * * *

Nancy R. Morlock
Hazardous Waste Unit Chief
Resource Conservation and Recovery Program
U. S. Environmental Protection Agency Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
(303) 312-6421

-----Forwarded by Nancy Morlock/R8/USEPA/US on 09/19/2012 09:00AM -----

=====
To: Libby Faulk/R8/USEPA/US@EPA, Nancy Morlock/R8/USEPA/US@EPA
From: Libby Faulk/R8/USEPA/US@EPA
Date: 09/19/2012 08:27AM
Cc: Bill Murray/R8/USEPA/US@EPA, Randy Brown03/R8/USEPA/US@EPA, RobinM
Anderson/DC/USEPA/US@EPA, Suzanne Wells/DC/USEPA/US@EPA, Tai
Lung/DC/USEPA/US@EPA
Subject: Re: Fw: participation on the quarterly community outreach call
=====

Hi Nancy,

I should have looped you in this as well since it sounds like the offsite rule is managed out of RCRA. Please see below. Thanks, Libby

Libby Faulk
Acting Community Involvement Program Manager
U.S. EPA Region 8 (8OC)
1595 Wynkoop St.

Denver, Colorado 80202
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1-800-227-8917, ext. 3126083 (Region 8 States only)

From: Libby Faulk/R8/USEPA/US
To: Randy Brown03/R8/USEPA/US@EPA, Bill Murray/R8/USEPA/US@EPA
Cc: Suzanne Wells/DC/USEPA/US@EPA, RobinM Anderson/DC/USEPA/US@EPA,
Tai Lung/DC/USEPA/US@EPA
Date: 09/19/2012 07:21 AM
Subject: Fw: participation on the quarterly community outreach call

Hi Randy and Bill,

Please see Suzanne's email below. Is there someone within your programs that could speak to CERCLA offsite rule and particular concerns that the Ute Tribe may be raising?

Thanks, Libby

Libby Faulk
Acting Community Involvement Program Manager
U.S. EPA Region 8 (8OC)
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----- Forwarded by Libby Faulk/R8/USEPA/US on 09/19/2012 07:16 AM -----

From: Suzanne Wells/DC/USEPA/US
To: Libby Faulk/R8/USEPA/US@EPA
Cc: RobinM Anderson/DC/USEPA/US@EPA, Tai Lung/DC/USEPA/US@EPA
Date: 09/18/2012 06:31 AM
Subject: Fw: participation on the quarterly community outreach call

Libby,

Hi! Hope things are going well.

We've gotten a request to participate in an OEJ quarterly community outreach call. Scott Clow from the Ute Tribe has posed a question about the CERCLA offsite rule. Is there someone in the region knowledgeable about the situation he describes, and who could help address the concerns?

Suzanne Wells
Chief
Superfund Community Involvement and Program Initiatives Branch
(703) 603-8863
(703) 603-9112 (fax)

----- Forwarded by Suzanne Wells/DC/USEPA/US on 09/18/2012 08:29 AM -----

From: Suzanne Wells/DC/USEPA/US
To: RobinM Anderson/DC/USEPA/US@EPA
Cc: Larry Zaragoza/DC/USEPA/US@EPA, Davide Cooper/DC/USEPA/US@EPA,

Tai Lung/DC/USEPA/US@EPA

Date: 09/18/2012 08:28 AM

Subject: Fw: participation on the quarterly community outreach call

Robin,

b(5) Deliberative Process

I'm going to contact region 8 to see if they have someone who might be able to address this.

Suzanne Wells

Chief

Superfund Community Involvement and Program Initiatives Branch

(703) 603-8863

(703) 603-9112 (fax)

----- Forwarded by Suzanne Wells/DC/USEPA/US on 09/18/2012 08:21 AM -----

From: Larry Zaragoza/DC/USEPA/US

To: Suzanne Wells/DC/USEPA/US@EPA

Cc: DavidE Cooper/DC/USEPA/US@EPA

Date: 09/18/2012 07:42 AM

Subject: Re: Fw: participation on the quarterly community outreach call

Suzanne,

b(5) Deliberative Process

Larry J. Zaragoza

Community Involvement and Program Initiatives Branch, OSRTI, OSWER

US Environmental Protection Agency

1200 Pennsylvania Ave, NW (5204P)

Washington, DC 20460

703-603-8867 (voice)/703-603-9102(fax)

Email: Zaragoza.Larry@epa.gov

Physical Address:

U.S. Environmental Protection Agency

2777 Crystal Drive (One Potomac Yard)

Room S-5912

Arlington, Virginia 22202

From: Suzanne Wells/DC/USEPA/US
To: DavidE Cooper/DC/USEPA/US@EPA
Cc: Larry Zaragoza/DC/USEPA/US@EPA
Date: 09/17/2012 04:32 PM
Subject: Fw: participation on the quarterly community outreach call

David,

Are you familiar with the CERCLA offsite rule that is discussed below? Who in our office knows about this rule?

Suzanne Wells
Chief
Superfund Community Involvement and Program Initiatives Branch
(703) 603-8863
(703) 603-9112 (fax)
----- Forwarded by Suzanne Wells/DC/USEPA/US on 09/17/2012 04:30 PM -----

From: Suzanne Wells/DC/USEPA/US
To: Larry Zaragoza/DC/USEPA/US@EPA
Date: 09/17/2012 12:24 PM
Subject: Fw: participation on the quarterly community outreach call

Do you know what this CERCLA offset rule is that is mentioned below? Did Superfund put this out or RCRA?

Suzanne Wells
Chief
Superfund Community Involvement and Program Initiatives Branch
(703) 603-8863
(703) 603-9112 (fax)
----- Forwarded by Suzanne Wells/DC/USEPA/US on 09/17/2012 12:23 PM -----

From: Tai Lung/DC/USEPA/US
To: Suzanne Wells/DC/USEPA/US@EPA
Cc: Marsha Minter/DC/USEPA/US@EPA, Pat Carey/DC/USEPA/US@EPA
Date: 09/17/2012 11:51 AM
Subject: Fw: participation on the quarterly community outreach call

Suzanne,

OEJ is looking for someone from Superfund to participate on a community outreach call. Would someone from your office be available to take the call? Email Sherri White to get more info. Thanks,

Tai

Tai C. Lung | U.S. Environmental Protection Agency | OSWER | IPCO | Tel
202.566.1296 | Cell 202.255.6201 | Fax 202.566.0202 | lung.tai@epa.gov

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From: Sherri White/DC/USEPA/US
To: Marsha Minter/DC/USEPA/US@EPA, Pat Carey/DC/USEPA/US@EPA
Date: 09/14/2012 11:09 AM

Subject: participation on the quarterly community outreach call

Hi Marsha and Pat,

I am contacting you both for assistance. One of the issues that was submitted for discussion on the upcoming call was the perception that environmental injustices are often created by EPA decision. The example given was CERCLA. (See below) Do you have someone who could participate on the call Thursday, 9/20 from 5-6pm?

I am preparing the agenda today to be sent out on our list serve late today or early Monday. It would be great if we could get someone from Superfund to participate on the call.

Addressing problems when EPA decisions create perceived environmental injustices.

What does the agency do when its own decisions may cause an environmental justice issue? For example, the preamble of the CERCLA offsite rule states that it is the goal of the law to not create a second hazardous site by moving waste from one site to another. But when local or state government fails to protect public health and environment through its regulatory authority on a site determined to be eligible by EPA under this rule to receive such hazardous materials, when does EPA stop sending waste there? Immediately, maybe sometime, or never? When does EPA intervene in the local or state regulation? At what point in this scenario does EPA accept that the wrong decision was made and try to correct it? What damages is EPA willing to incur while hoping or assuming that local or state regulators are really competent? Sooner or later it seems like logic would prevail and EPA would stop the polluting action and lack of regulation, but how long is the agency willing to perpetuate the status quo?

Scott Clow

Ute Mountain Ute Tribe

sclow@utemountain.org

Thanks,
Sherri

Sherri P. White
Program Analyst
EJ IWG Program Manager
Office of Environmental Justice
Phone: 202-564-2462
Fax: 202-501-0740

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1200 Pennsylvania Ave. NW
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